

FINAL



WEARE BOARD OF SELECTMEN
MEETING MINUTES
January 19, 2009

PRESENT: TOM CLOW, CHAIRMAN; WENDY CLARK, VICE CHAIRMAN; HELEEN KURK, SELECTMAN; RICHARD W. BUTT, SELECTMAN; KEITH R. LACASSE, SELECTMAN

RECORDING SECRETARY: Cherry Palmisano

GUESTS: Frank Campana, Donna Osborne, Carl Knapp, Hal Maloof, Brenda Lashway, Jon Osborne, Tina Connor, Christine Hague, Jan Snyder, Naomi Bolton, Doreen Kenney, Sarah Newhall, Victor Thibeault, David Nason, Scott Dinsmore, Kelly Dinsmore, Wanda McLain, Fredrick Hippler, Julie Bickford, Jim Reilly, Kyle Przybyla, Kyle Averill

7:00 p.m. Chairman Clow called the meeting to order.

Chairman Clow announced that the meeting will mainly consist of two major public hearings.

PUBLIC HEARING: For the purpose of hearing public testimony and comment on the Bond proposal for the Public Works Garage/Transfer Station

Article 9 – Shall the Town raise and appropriate a sum not to exceed One Million, Two Hundred Fifty Thousand Dollars (\$1,250,000.00) for the purpose of constructing a new Public Works (Highway Department) and Transfer Station/Recycling facility and to authorize the issuance of not more than One Million, Two Hundred Fifty Thousand Dollars (\$1,250,000.00) in bonds and/or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) to finance the project and to authorize the Board of Selectmen to negotiate, issue, sell, and deliver such bonds or notes and to determine the rate of interest thereon and the maturity and other terms thereof? (3/5 ballot vote required).

Chairman Clow opened the public hearing at 7:08 p.m.

Mr. Carl Knapp said the architect did well in getting them the bid in the time frame. Mr. Knapp had a drawing of the new facility and explained the basic layout and floor plan and said it is very similar to what was proposed last year. The bid is from CMGC Firm for \$1,638,000.00. Mr. Knapp said this proposal is higher than anticipated because nothing was considered for reuse in this proposal and was proposed for everything new. Mr. Knapp said they would reuse the waste oil furnace and holding tanks. The proposal includes \$7,000 for furniture and equipment which they don't plan on buying, \$6,800 for site work and \$4,000 for site excavation which they don't need and \$10,000 for unsuitables which was put in there if they dug up something and had to replace dirt in the ground which they won't be using. Mr. Knapp said the sprinkler system drove the price up considerably last year's bid was \$50,000 and this proposal is \$140,000 however part of the cost is for a 25,000 gallon water tank and they plan on utilizing the pond that is next to the building that can be tapped into and water drawn from which would cut cost considerably. Mr. Knapp said in addition the big tank would have to have a 1 foot concrete slab on top of it, which they would not need. A 125 kw generator is included in the bid which is a pricey item; there is a 600 amp service and they don't need that size generator. Mr. Knapp said the lighting that was just installed in the truck bays can be reused. Selectman Kurk asked if he subtracted everything that would not be needed to come up with a price. Mr. Knapp said these prices are from a book and have not gone out to actual contractors. Mr. Knapp said there is a \$24,000 line for

FINAL

builders risk insurance and he is not sure how the town's insurance company would handle this. This is based on all private contractors not necessarily the town.

Selectman Kurk asked why there were 2 offices. Mr. Knapp said 1 for foreman and mechanics and the other for him and a secretary. Mr. Knapp said when you drive up now you drive up to the front of the building and you would be facing the recycling area and then continue up to the transfer station for other disposal. Selectman Kurk asked about other truck flow. Mr. Knapp said they would come out of the other side of the building away from the recycling area. Mr. Knapp said what he discussed with Mr. Lawler was that the price for the sprinkler system is what really through him off. Chairman Clow asked Mr. Knapp when he was referring to the pond and not utilizing the holding tank was his thought the pond was accessible year round. Mr. Knapp said yes, it is deep enough not to freeze. Mr. Knapp said the price could come down to \$1,200,000.00-\$1,300,000.00 or possibly less. Mr. Knapp said an estimator did the price on the proposal. Mr. Knapp removed everything from the bid price that would not be needed or what he could get a better price on. Mr. Knapp said he received a price for \$150,000 for the concrete. Chairman Clow asked Mr. Knapp if he would be able to go back to the architect and discuss this. Mr. Knapp said yes he will. Chairman Clow said the price could be amended at Deliberative Session. Selectman Lacasse asked if the building was 18,000 or 22,400 sq feet. Mr. Knapp said 22,400 sq feet. Selectman Butt said at one point they were talking about dropping the recycling at that facility to save money when it was first proposed, does this reduction in size represent removing the recycling. Mr. Knapp said it was removed from there for parking. Selectman Kurk asked if they were to go smaller does the design of the building allow for it to be added onto in the future. Mr. Knapp said it could be designed that way. Selectman Kurk asked how much space they needed now. Mr. Knapp said if they reduce the size it may mean they store some equipment outside. Selectman Butt said if you anticipate dropping off some off the items then it would be \$1,000,000 for 18,000 sq ft or \$1,250,000 for 22,400 sq ft. Selectman Butt is unsure if there is a significant difference in price because the size of the structure. Mr. Knapp said he would hate to come back in the future years and request adding on to the building. Selectman Butt said they were prepared for the \$1,000,000 not the \$1,600,000.

Mr. Hal Maloof asked if there was a requirement to have personal showers. Mr. Knapp said yes, in case there was a chemical spill. Mr. Maloof asked about insulation. Mr. Knapp said it is put on the building as the building is constructed.

Ms. Christine Hague, taxpayer, town employee, Chairman of the Joint Loss Committee (mandated for all municipalities) said this facility is not a wish; there are 3 important reasons to the town why this is being considered, which are all related to risk. The Joint Loss Committee has identified several deficiencies in the building which were not all taken care of because it would be more costly to repair than to rebuild. She said the insurance company has the right not to insure. Ms. Hague said a large hazard is air circulation and the other is electrical and said the town puts itself at risk because of these safety issues. Ms. Hague said one overall expenditure is much better than several repairs. The State Labor Department, which they report to every 2 years, has the right to inspect at any time and has the right to shut down any building at any time. Ms. Hague said if anyone in the public doesn't think this building is needed or does not understand the need she will explain it to them.

Mr. Frank Campana asked about insulation and said he has seen medal buildings and the insulation is open. Mr. Knapp said it is covered with plastic. Mr. Campana said it should be a hard covering and it will need to be fire proofed. Mr. Knapp said he discussed fire rated plywood with the architect. Mr. Knapp said as far as the bond, you can certainly have the \$1 million dollars in there, but would like to know the length of the bond with today's rates and the tax impact over the number of years. Chairman Clow does not have the specific numbers. Mr. Campana asked if they have discussed the term of the bond. Chairman Clow said they have not; it depends on the rates and the terms available. Mr. Campana asked if there is a possibility can he get the figures. Chairman Clow said they knew coming into the meeting tonight that the number would be changing and the \$1m was a round figure that would be changing in some way.

FINAL

Mr. Jon Osborne, foreman of transfer and recycling center. Mr. Osborne commented on Selectman Butt asking about removing the recycling center section off the building. Mr. Osborne would like the Board not to remove the section, does not want it open to the elements.

Ms. Brenda Lashway said Mr. Knapp commented on the contracting being done in-house. Mr. Knapp said he would oversee the project and bring in a testing company. Ms. Lashway said that the Finance Committee went to the highway garage and can attest to some of the safety issues and concerns they saw; electrical was a major concern as well as vehicles being housed outside and the height of the ceiling.

Mr. Knapp said the number one concern is for the safety of the employees that work there. Mr. Knapp said the recycling the way it is now is not the ideal set up and the employees are out in the weather. Mr. Knapp said there are a few considerable cost savings; electrical to have the trucks plugged in for the winter is about \$400 a month to keep them plugged in. Another cost savings is the ability to have a wash bay because they currently have no means available to wash the vehicles in the winter time; it takes a beating on the trucks not to have the salt washed off them. Last week they had to purchase a \$1,500 oil tank for one of the trucks and by keeping the trucks clean will add to the life expectancy of the vehicles. Mr. Knapp said the length of time they are able to keep a vehicle should increase by 2-3 years by keeping them clean and not rusting. A new plow truck is \$150,000-\$155,000 and there are 10 trucks. Mr. Knapp said you would see a savings in at least 3 trucks in his CIP plan. Mr. Knapp said it is very important to emphasize the safety of the employees. Mr. Knapp said there was a drop plug that was GFI protected which caused a puddle of water to boil. There is no ventilation and the height of the ceiling is very low. Selectman Lacasse asked about the waste oil furnace being reused. Mr. Knapp said they can reuse the one they have and there is a grant to get an additional furnace. The waste oil burner would be for the offices and bathrooms; they would not need propane at all. Chairman Clow said last year Mr. Knapp mentioned the overtime spent because the employees need to warm up the trucks. Mr. Knapp said it was below zero when they went in on Sunday and it takes a long time for the trucks to be operational and get warm. Mr. Knapp said you have to get the hydraulics warmed up. Mr. Knapp said the trucks have to get warmed up 15 minutes, hydraulics warmed up and then loading time (because they can't load the trucks in advance because of the hydraulics) = equals 45 minutes. If they were housed inside they could already be preloaded and would not need to be warmed up. The way it is now Mr. Knapp has to call the guys in earlier to get the trucks ready; if they had the building it would save a lot of overtime for years. Mr. Knapp said if he knows the trucks are ready in advance he does not have to call the guys in as soon.

Vice Chairman Clark asked if they could get a figure for the ongoing maintenance of the building to have funds available in future years for budgeting purposes. Mr. Knapp said it will be hard to come up with a figure until they are in the building for a year. Mr. Knapp said you have to maintain the equipment, which is a big reason for building.

Ms. Jane Snyder sees legal fees have been increased for the proposed budget. Chairman Clow said because they anticipate additional negotiations. Ms. Snyder said they would have to consider bond counseling fees in the proposed budget for \$5,000-\$7,000. Mr. Knapp said there is \$4,000 built into the proposal for the building.

Chairman Clow closed the public hearing at 7:50 p.m.

PUBLIC HEARING: For the purpose of hearing public testimony on the Overall 2009 Proposed Budget.

Chairman Clow opened the public hearing for the warrant at 7:50 p.m.

Article 10 – Shall the Town raise and appropriate, as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling Four Million Seven Hundred Eighty-Nine Thousand Twelve Dollars (4,789,012.00)? Should this article be defeated, the Default Budget shall be Four Million Six Hundred Thirty-Nine Thousand Eight Hundred Three Dollars (4,639,803.00) which is the same as last year, with certain adjustments required by previous action of the Town or by law; or the governing

FINAL

body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised Operating Budget only.

TOTAL EXPENDITURE	\$ 4,789,012.00	\$ 4,639,803.00
LESS ANTICIPATED REVENUE	\$ 2,691,844.00	
TOTAL TO BE RAISED BY TAX	\$ 2,097,168.00	
VALUATION/1000	\$ 921,443.00	
ANTICIPATED TAX IMPACT	\$ 2.27	2.11

Mr. Campana asked the Board if they knew if the bottom line anticipated revenues would be more or less than last year and what the dollar figure is. Mr. Campana said there is \$93,000 less in the anticipated revenue from last year. He would probably hazard to guess that it might not be any better than what they have \$2,691,844 might be less and the Board still has the tax rate impact based on that amount. Mr. Campana wants to know if the Board knows what the anticipated tax rate will be for the default, he said his calculations come out to \$2.11. Mr. Campana appreciates what the Board has gone through, but thinks that they should have those numbers available for the default budget for the taxpayers; \$0.16 difference. Considering what the schools are anticipating it could be a substantial tax increase, understands each board has to look out for their own budgets.

Article 11 – Shall the Town raise and appropriate the sum of Three Hundred Sixteen Thousand Four Hundred Thirty-Five Dollars (\$316,435.00) to be added and allocated to the previously established Capital Reserve Funds as shown in the chart below?

Library Computer Replacement Fund	\$ 2,435.00
Highway Truck & Equipment Replacement Fund	\$ 200,000.00
Transfer Station Equipment Fund	\$ 10,000.00
Recreational Dev. & Improvement Fund	\$ 18,000.00
Computer System Fund	\$ 20,000.00
Police Cruiser Fund	\$ 66,000.00

(All the items listed in this article are part of the Town’s CIP.)

Anticipated tax impact= \$ 0.34

Article 12 – Shall the Town raise and appropriate the sum of Sixty Thousand Dollars (\$60,000.00) for the purpose of purchasing equipment to grind up brush at the Transfer Station?

Anticipated tax impact = \$0.07

Mr. Knapp said burning the majority of the things that go in the brush pile has not been able to happen, this grinder would grind up the material to wood chips. Mr. Knapp said there could be a better suited piece of equipment so he did not want to specify. It was discussed that ash needs to be tested and sent to another facility which is a large cost. Mr. Knapp said people don’t want to pay to dispose of the propane tanks so they dispose of them in the brush pile; another reason not to continue with burning. Ms. Lashway asked Mr. Knapp if the piece of equipment would be new or used. Mr. Knapp said it very possibly could be a late model piece of equipment; not necessarily new.

Article 13 – To see if the Town will approve the cost item included in the collective bargaining agreement reached between the Board of Selectmen and AFSCME Local 3657 Police Department Employees which calls for the following increases in salaries and benefits at the current staffing level:

<i>Year</i>	<i>Estimated Increase</i>	<i>Year</i>	<i>Estimated Increase</i>
2009	\$29,318.00	2010	\$22,584.00

and further to raise and appropriate the sum of Twenty-Nine Thousand, Three Hundred Eighteen Dollars (\$29,318.00) for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits over those of the appropriation at current staffing levels paid in the prior fiscal year.

Anticipated tax impact = \$0.03

FINAL

Ms. Lashway asked since this is a negotiation is there an accommodation to hold a special meeting if this does not pass. Chairman Clow said it does not; they negotiated long and hard and feel the actual increase in the pay scale is 2.75%. There are steps that are built into the experience of a police officer on the job. The Board felt this would be a very reasonable increase for both years of the contract so they did not include an article for a special meeting. Ms. Lashway doesn't want to say they don't deserve the increase, but they are not sure of the tone of the voters and is not assuming the article will pass. Is there a detail that is available to taxpayers regarding current salaries, vacation and sick time, holiday pay? The Board does have that information; it is public information.

Mr. Campana asked if the Board would be able to elaborate on some of the high points regarding salary and benefits and what it allows for. Chairman Clow said the police department has 3 part time officer positions, 10 full time officer positions and a part time clerk that are members of the union. Police officers are set up on an 8 step scale so an officer on their first year makes so much per hour and then in 2009 (patrol officer, sergeant and lieutenant) patrol earns \$19,007 after April, sergeant makes \$, and a lieutenant \$25, 004. As an officer gains experience on the job and moves to the next year there would be a 3.75% increase and it is capped at the 8th year; very common, and state police model was used to set up the pay scale, has been in effect for 3 years. The sergeants, due to recent promotions are on step 4 and will be on step 5 for April. Negotiated 2.75% increase on the first step and then it is reflected on all other steps. The employees receive 100% health care which is a major benefit; wages are not as high as they are in other towns. Chairman Clow said they have holidays (10) and that applies to all town employees. Chairman Clow said both sides in the negotiations understand where the economy is and came to a good end in the negotiations.

Article 14 – Shall the Town raise and appropriate the sum of Four Hundred Thousand Dollars (\$400,000.00) for road reconstruction and resurfacing of roads? Of the \$400,000.00, the sum of Two Hundred Forty-Seven Thousand Seven Hundred Fifty-Two Dollars (247,752.00) would be received from Highway Block Grant Funds from the State of New Hampshire (Pursuant to RSA 235) and One Hundred Fifty-Two Thousand Two Hundred Forty-Eight Dollars (\$152,248.00) to be raised from taxation. Anticipated tax impact= \$0.17

Chairman Clow said the article is self explanatory. Vice Chairman Clark asked Mr. Knapp if he has an idea of what roads this entails. Mr. Knapp said Thorndike to Quaker to Memorial Drive; complete reconstruction top coats they did this year that need to be applied. Mr. Knapp said gravel replacement and calcium (did Dudley Brook this year and had very good luck), gravel crushing and culvert work needs to be done. Selectman Kurk said Mr. Knapp made up a chart last year. Mr. Knapp will have this year's available; he is working on a ten year projection chart now. Mr. Knapp said if the article passes the equipment they will receive will allow them to do so much more.

Article 15 – Shall the Town raise and appropriate the sum of Six Thousand Dollars (\$6,000.00) to cover the costs of the Town's participation in one (1) local Household Hazardous Waste Collection in 2009? This warrant article has been designated by the Board of Selectmen as a Special Warrant Article so that the funds, if approved, may not be transferred for any other purposes. Anticipated tax impact = \$0.006

Article 16 – Shall the Town raise and appropriate the sum of Twenty Thousand Dollars (\$20,000.00) for cemetery improvements? This sum to be withdrawn from Cemetery Trust Funds Cy Pres Account. Anticipated tax impact = \$0.00

Article 17 – Shall the Town raise and appropriate the sum of Forty-Three Thousand, One Hundred Eighty-Four Dollars (\$43,184.00) to cover the cost of hiring a Full-Time Fire Chief with EMT-I or paramedic certification? This sum to cover six (6) months wages, payroll taxes, and benefits. If approved, future funding for this position will be included in the Fire Department Operating Budget on an annual fiscal year (12-month) basis. Anticipated tax impact = \$0.05

Selectmen Butt said they have not voted to recommend any of the articles. Chairman Clow said they did vote not to put certain articles on the warrant and some they did not; they did not vote to recommend or not.

Ms. Doreen Kenney asked if they have a Fire Chief or EMT person in town. Chairman Clow said they had a part time Fire Chief but recently in December the Fire Chief resigned. The Board of Fire Wards is recommending a full

FINAL

time Fire Chief and a proposal that includes per diem EMT to be on call during the day. The Board is recommending to include the article for the Chief but not the per diem EMT because they didn't have enough information to support it.

Article 18 – Shall the Town raise and appropriate the sum of Four Hundred Sixty Thousand Dollars (\$460,000.00) for the purpose of purchasing a new fire truck and to take any other action needed in relation thereto? Of the \$460,000.00 sum, Two Hundred Seventy-Six Thousand Four Hundred Dollars (\$276,400.00) will be withdrawn from the previously established Weare Fire Department Vehicle Replacement Special Revenue Fund, with the remaining balance of One Hundred Eighty-Three Thousand Six Hundred Dollars (\$183,600.00) to be taken from the previously established Fire Department Vehicle Replacement Capital Reserve Fund. Anticipated tax impact = \$0.00

There is no anticipated tax impact on this article because the cost is coming out of other funds. Mr. Campana said the new idea of the CIP is to pay for things as they come up and not to save for them. Mr. Campana said if \$183,600 can be taken from another fund is that a CIP account. Selectman Butt said it is. Mr. Campana referred back to Article 11 and no dollar amount being listed. Chairman Clow thought there was going to be an additional \$50,000 needed above and beyond those 2 funds to purchase the truck, the funds grew and they had enough to cover, they debated leaving the \$50,000 in the fund and decided to not include that and to keep the total appropriation for the CIP down as low as they could. Selectman Butt said the CIP program is pay as you go and has saved the taxpayers money over the past 5 years. Selectman Butt said the existing CRF had money left over from 2 years ago and they knew they had a purchase coming up and the other source of revenue is the ambulance revenue fund. Those 2 funds are allowing them to make a major appropriation. Mr. Campana said in the future the \$183,000 that has been previously appropriated but not expended, would he assume if this same article were to appear 2 years from now than he would see \$183,000 appropriated. The Board said yes. Selectman Butt said next year they will need \$175,000 to purchase a new ambulance; they should have \$80,000-\$100,000 in the ambulance fund to put towards the purchase. 2011 will be a bigger hit to the taxpayers.

Selectman Kurk told Mr. Campana that she thinks the default anticipated tax rate should be \$2.21 not \$2.11. Mrs. T. Connor agrees it is \$2.11.

Ms. Lashway said if there are looking to hire a new Fire Chief in the near future, do they not want to get someone on board and then let them decide what needs to be done. Chairman Clow said this has been being studied for many years, discussion with Board of Fire Wards and the BOS regarding size of the engine, the background work has been done for this.

Mrs. Donna Osborne said Ms. Lashway brought up a good point, she knows Bob Richards put in a lot of time and the active Chief Bill Tiffany met with the Finance Committee and he felt that size engine was not needed. Chairman Clow said they had a Board of Fire Wards meeting with some BOS members there and Bob Richards discussed the difference between the 6 passenger and the 8 passenger engine. At the meeting they discussed tank capacity and needing the amount of water the larger truck provided and the need for 4 wheel drive, that discussion has been out there but it seems that what is in the article should be in there and is recommended by the Board of Fire Wards.

Article 19 – Shall the Town raise and appropriate the sum of Forty-Six Thousand, Five Hundred Forty-Two Dollars (\$46,542.00) to serve as funds for employee raises, said funds to be allocated based upon merit/ personnel performance reviews? Anticipated tax impact = \$0.05

Chairman Clow said the non union employees did not receive a raise last year and this article would give non union employees an increase. Ms. Lashway asked what percentage the pool would be based on. Chairman Clow said they based it on 5%. Ms. Lashway asked who the pool was for and if it included Town Manager. Chairman Clow said it is based on 30 employees and their performance. Ms. Bolton asked if the Highway employees who recently went union were included. Chairman Clow said they have no notification of that so they are included.

Article 20 – Shall the Town raise and appropriate the sum of Thirty Thousand Dollars (\$30,000.00) to be placed in the already existing Employee Retirement Capital Reserve Fund? Anticipated tax impact = \$ 0.03

FINAL

Chairman Clow said employees accrue vacation, bonus days, unused sick time and there is provision for some of those sick days to be paid back and when they retire they are entitled to those accruals that are spelled out in the personnel policy. Last year they did add money to this account and are asking for the same sum again this year.

Article 21 – Shall the Town raise and appropriate the sum of Seven Thousand Dollars (\$7,000.00) for the purpose of purchasing fireworks for the 2009 Weare Patriotic Celebration? This warrant article has been designated by the Board of Selectmen as a Special Warrant Article so that the funds, if approved, may not be transferred for any other purposes. Anticipated tax impact = \$0.007

Article 22 – Shall the Town raise and appropriate the sum of Ten Thousand Dollars (\$10,000.00) to fund the hiring of a part-time Cable TV/Communications Coordinator, said sum to cover six (6) months in 2009? If approved, future funding for this position will be included in the Operating Budget on an annual fiscal year (12-month) basis. Anticipated tax impact = \$0.01

Mr. Campana said he understands how cable is run by volunteers, but if this doesn't get approved how will this affect the cable channel. Chairman Clow said the Cable Committee came before them with a proposal and they feel there is a need to have someone with expertise to keep the community access channel up and running. The Board has discussed this and also discussed the need to have an IT employee; they are hoping to find someone to play a dual role. Selectman Butt said this position would also possibly include the town website and communicating to the public. Selectman Kurk said it only affects Channel 6.

Mr. Paul Hague, Cable Committee, said the reason that this was brought up is because up until now the cable access channel has been run entirely by volunteers. Mr. Hague said their volunteers are dwindling and it is time to have a professional to keep the station running and this would allow expanded programming and providing greater public access. Feels this is an excellent way to get up to speed, all the towns around us have professional run studios.

Ms. Lashway asked how many people are signing up for dish and not cable. Selectman Kurk said they get revenue from cable, which is approximately \$60,000 per year and expects more people have been joining. Chairman Clow said there is income from the cable franchise fees and it goes in the town's general fund. Chairman Clow said the revenue would more than pay for this employee. As more customers are added or the rates go up then so does the revenue. This revenue is sometimes utilized to reduce the tax rate or used to purchase equipment. There is a 7 year contract with Comcast and the town is in the first year of the contract.

Article 23 – Shall the Town modify the purposes of the existing Capital Reserve Fund established under the provisions of RSA 35:1 and titled the Government Building and Maintenance Fund so as to include the following purposes: maintenance, repairs, capital improvements, and professional studies to/for Town buildings. (2/3 vote required for passage). Anticipated tax impact = \$0.00

Chairman Clow said there has been debate over the years by the Trustees whether something was a repair or a capital item. Chairman Clow said this would include the ability to have a study done on what is needed for the town buildings, the feeling is by redefining the article it will serve the services that are needed. Failed by 12 votes last year and requires a 2/3 vote.

Article 24 – Shall the Town rescind the Town of Weare Earth Products Ordinance originally adopted at the 1972 annual town meeting, as well as any subsequent amendments thereto, and, in lieu thereof, to continue to constitute the Board of Selectmen as the Regulator for purposes of matters involving earth material removal, as provided for in RSA 155-E:1, (III)(a), it being understood that, once so designated, the Board of Selectmen, as such Regulator, will be empowered to exercise any and all authority provided to the Regulator by RSA 155-E, including, but not limited to, the authority to adopt regulations governing earth material removal within the Town of Weare, as authorized by RSA 155-E:11.

Selectman Kurk said the BOS are the regulators but they have an ordinance and any time there is a change from the Legislature they have to go back to the town to vote, this would allow the BOS to handle the changes without going to a vote.

FINAL

Article 25 – Shall the Town amend the Finance Committee Ordinance to specify an eleven (11) - member body instead of the current thirteen (13) members now mandated? Thus, the Ordinance would then read: “The Weare Finance Committee shall be composed of 11 members appointed by the Town Moderator.” All other provisions of the Ordinance would remain the same.

Chairman Clow said they have had difficulty in getting enough members for the Finance Committee to get a quorum and this article would lower the number needed for a quorum by 1 member.

Ms. Lashway said there is no warrant article to increase the Police Chief’s salary. Chairman Clow said it is included in Article 19 with the employee raises. Chairman Clow said this was discussed with the Police Chief.

Selectman Kurk said Article 19 entails 36 employees.

Mr. Campana would like to know the dollar amount on the increase for the Police Chief. Chairman Clow said he would rather not say a number because it will be based on employee performance and it would not be appropriate at this time.

Chairman Clow closed the public hearing at 8:56 p.m.

Chairman Clow moved, Selectman Kurk seconded to enter into non public session @ 8:58 p.m. pursuant to the authority granted in RSA 91-A:3, II (c). A roll call vote was taken, Selectman Butt – yes; Vice Chairman Clark – yes; Selectman Kurk – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Selectman Kurk moved, Selectman Lacasse seconded to come out of non public session @ 10:18 p.m. A roll call vote was taken, Selectman Butt – yes; Vice Chairman Clark – yes; Selectman Kurk – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Selectman Kurk moved, Selectman Lacasse seconded to seal and restrict the minutes of the non public session. Passed 5-0-0

MANIFESTS

Chairman Clow moved, Vice Chairman Clark seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer or Deputy Treasurer to sign checks dated January 22, 2009. Passed 5-0-0

Accounts payable	\$304,607.56	(\$250,000 to John Stark)
Gross Payrolls	<u>\$45,268.54</u>	(includes Spec Detail, Credit Union, Taxes)
Total	\$349,876.10	

MEETING MINUTES

Chairman Clow moved, Selectmen Kurk seconded to approve the minutes of January 5, 2009 as amended. Passed 5-0-0

Chairman Clow moved, Selectmen Kurk seconded to approve the minutes of December 3, 2008 as amended. Passed 4-0-1

The Board agreed to change the amount of the bond on Article 9 to \$1,250,000.00.

Selectman Lacasse moved, Chairman Clow seconded to recommend Articles 9-17. Passed 5-0-0

Selectman Lacasse moved, Chairman Clow seconded to recommend Article 18. Passed 4-1-0

Selectman Lacasse moved, Chairman Clow seconded to recommend Articles 19-25. Passed 5-0-0

Selectman Butt asked if the department heads should be working with the default budget. Chairman Clow said yes. Selectman Butt asked if department heads overspend a line they need to contact the Board of Selectmen. The Board agrees. Selectman Kurk said would it make sense for them to warn the Selectmen before the over expenditure. Chairman Clow will mention this to all employees at tomorrow’s staff meeting.

Selectman Kurk moved, Chairman Clow seconded to seal and restrict the minutes of the non public session on Saturday, January 17, 2009. Passed 5-0-0

FINAL

Chairman Clow moved, Selectman Lacasse seconded to enter into non public session @ 9:05 p.m. pursuant to the authority granted in RSA 91-A:3, II (c) & (e). A roll call vote was taken, Selectman Butt – yes; Vice Chairman Clark – yes; Selectman Kurk – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Chairman Clow moved, Selectman Kurk seconded to come out of non public session @ 10:48p.m. A roll call vote was taken, Selectman Butt – yes; Vice Chairman Clark – yes; Selectman Kurk – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Chairman Clow moved, Selectman Kurk seconded to enter into non public session @ 10:50 p.m. pursuant to the authority granted in RSA 91-A:3, II (c). A roll call vote was taken, Selectman Butt – yes; Vice Chairman Clark – yes; Selectman Kurk – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Chairman Clow moved, Selectman Kurk seconded to come out of non public session @ 10:58p.m. A roll call vote was taken, Selectman Butt – yes; Vice Chairman Clark – yes; Selectman Kurk – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Chairman Clow moved, Selectman Kurk seconded to enter into nonpublic session at 11:00pm pursuant to the authority granted in RSA 91-A:3, II (c). A roll call vote was taken. Selectman Butt – yes; Vice Chairman Clark – yes; Chairman Clow – yes; Selectman Kurk – yes; Selectman Lacasse – yes. Passed 5-0-0

Chairman Clow moved, Selectman Kurk seconded to come out of nonpublic session at 11:15pm. A roll call vote was taken. Selectman Butt – yes; Vice Chairman Clark – yes; Chairman Clow – yes, Selectman Kurk – yes; Selectman Lacasse – yes. Passed 5-0-0

A True Record.

Cherry Palmisano, Recording Secretary